



MARKET NO. ACT93-01A3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Substitute
Declaration for Patent Application

**COPY FOR CONTINUING
APPLICATION**

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MODULATED RELEASE FROM BIOCOMPATIBLE POLYMERS

the specification of which (check one)

☐ is attached hereto.

☒ was filed on April 7, 1998 as United States Application

Number 09/056,566

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> | | | Priority Not Claimed |
|-------------------------------------|--------------------|---------------------------------|----------------------------|
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year filed) | <input type="checkbox"/> |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year filed) | <input type="checkbox"/> |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year filed) | <input type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

| | |
|-------------------------------|------------------------|
| _____ (Application Number) | _____ (Filing Date) |
| _____ (Application Number) | _____ (Filing Date) |

application:

| (Application Serial No.) | (Filing date) | (Status: patented, pending, abandoned) |
|--------------------------|---------------|--|
| | | |

Hamilton, Brook, Smith & Reynolds, P.C.
2 Militia Drive
Lexington, Massachusetts 02421-4799
Customer No. 21005

I also hereby grant additional Powers of Attorney to the attorneys and/or agents associated with Customer No. 21005 to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states;

781 861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Howard Bernstein

Inventor's

Signature Howard Bernstein

Date 8/18/98

Residence 929 Massachusetts Avenue, No. 2B

Cambridge, Massachusetts 02139

Citizenship Canada

Post Office Address Same as above

Full name of second joint

inventor, if any Yan Zhang

Inventor's

Signature Yan Zhang

Date 9/30/98

Residence 1230 Chula Vista Drive

Belmont, California 94002

Citizenship China

Post Office Address Same as above

Full name of third joint

inventor, if any M. Amin Khan

Inventor's

Signature M. Amin Khan

Date 25 Aug 98

Residence 26 Twin Pines Road

5163 SUE DRIVE

Downington, Pennsylvania 19335

CARMEL, IN 46033

25 Aug 98

Citizenship United Kingdom

Post Office Address Same as above

Full name of fourth joint

inventor, if any Mark A. Tracy

Inventor's

Signature Mark A. Tracy

Date 8/18/98

Residence 190 Hillside Avenue

Arlington, Massachusetts 02474

Citizenship United States

Post Office Address Same as above

KASABELLEACT9301A3.DEC